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PROJECT NO. 47552

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ISSUES RELATING TO THE
DISASTER RESULTING FROM
HURRICANE HARVEY

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PUBLIC UTILITY COMMISSION

OF TEXAS

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PUBLIC UTILITY COMMISSION
TECH CLERK

**ORDER TO ASSIST IMPLEMENTATION OF THE
GOVERNOR'S PROCLAMATIONS RELATED TO
THE DISASTER CAUSED BY HURRICANE HARVEY**

On Friday, August 25, 2017, Hurricane Harvey struck the Gulf Coast of Texas and has persisted over and near Texas causing significant damage across Central and Southeast Texas. Many of the residents of these areas of the state were displaced by Hurricane Harvey and have been evacuated or have relocated to other areas of Texas. Other residents remained in the area and have lost electric, telecommunications, potable water, and sewer service, and the delivery of other essential services has been interrupted or impaired.

On August 23, 26, 27, and 28, 2017, Governor Abbott issued proclamations declaring a state of disaster in 58 counties of this state and directing that any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with the disaster shall be suspended upon written approval of the Office of the Governor. On August 30, 2017, the Commission requested suspension of certain rules of the Commission and on that same day the Office of the Governor approved the suspension of those rules. The Commission anticipates that additional suspension of statutes and rules will occur as recovery from the disaster proceeds.

To further assist in the suspension of rules under the governor's proclamation that could in any way prevent, hinder, or delay necessary action in coping with the disaster, the Commission issues this order.

1. Regulated entities must notify affected persons that rules have been suspended.

All entities subject to the rules suspended by the Office of the Governor in accordance with the Governor's disaster proclamations shall inform all persons who have evacuated from affected areas as a result of Hurricane Harvey who apply for electric, telecommunications, potable water, or sewer service of the suspension of these rules, to the extent they may be relevant to the customer, at the time such persons apply for electric, telecommunications, potable water, or sewer service.

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The Commission notes that many of those persons who have evacuated may have limited means of identifying themselves as having been displaced from their homes due to Hurricane Harvey. A person who is adversely affected by Hurricane Harvey is a person who resides in a county declared by the Governor to be a disaster county and demonstrates that the person has been affected by, or evacuated as a result of, Hurricane Harvey, based on evidence of residency in the affected area and documentation of the person's status as a claimant of benefits offered by the Federal Emergency Management Agency, the American Red Cross or other recognized charitable organization, or a state or local jurisdiction or agency or any other evidence of hurricane-related destruction of a person's residence.

2. Certificated Telecommunications Utilities must notify affected persons of lowest cost alternatives.

The Commission further notes that 16 Texas Administrative Code § 26.31(c)(1)(A) requires customers to be informed about the dominant certificated telecommunications utility's "lowest-priced alternatives, beginning with the least cost option." The Commission also notes that the lowest-priced alternative may include Lifeline and Linkup.

3. Telecommunications providers must seek to identify persons who are eligible for the benefits of rule suspensions by the Governor, as applicable.

Telecommunications providers should seek to identify persons who are eligible for these benefits, in enrolling customers for new service.

4. Retail Electric Providers should seek to identify persons who are eligible for the benefits of rule suspensions by the Governor, as applicable.

Retail electric providers in the Electric Reliability Council of Texas (ERCOT) or electric utilities outside of ERCOT are not precluded from making reasonable inquiry as to whether a person is entitled to the benefits of any rule suspensions

5. Utilities shall use best efforts to account for reduced consumption in estimating bills.

Since the last major hurricane to impact Texas, many Texas electric utilities and transmission and distribution utilities have ubiquitously deployed advanced metering infrastructure and these systems should significantly reduce the need for utilities to estimate usage data compared to past disasters, to the extent they are available. These utilities should utilize these systems where possible to record and report accurate metering information. Where advanced

meters systems are damaged or cannot transmit data, or estimating data will facilitate restoration efforts electric utilities and transmission and distribution utilities are ordered to use their best efforts when estimating energy consumption for billing purposes to take into account the reductions in consumption that have resulted from the disruption in delivery of electricity that are a consequence of the damage caused by the hurricane, from customers' evacuation and from the damage to the premises where customers took service. These utilities are also ordered to use their best efforts, without delaying restoration of service, to identify premises that are not capable of receiving electric service, to discontinue billing these premises for electric delivery service, without assessing a disconnection charge, and to take appropriate steps to notify ERCOT that the premises should not be included in the wholesale settlement. For example, it may be appropriate in areas with a substantial amount of damage for utilities to report a zero usage estimate until such time as a physical inspection can be performed. In recognition of the fact that issues around utility meter reading and billing may be utility-specific, the Commission requests that Staff, Retail Electric Providers, and utilities work collaboratively on these issues, and report at the September 28th Open Meeting. ERCOT is ordered to take reasonable and necessary steps, as appropriate, to ensure that load reductions are reflected in wholesale settlement as soon as possible.

Although larger water utilities in Texas have advanced metering devices, many small water utilities have not upgraded their meters. These smaller utilities read meters manually to measure water usage. In addition, sewer utility service is not typically metered. Instead, sewer usage is based on water usage data. Water utilities with advanced metering devices should utilize their advanced metering systems where possible to record and report accurate metering information for both water and sewer usage. Where advanced metering systems are damaged, cannot transmit data, or are not installed, estimating usage will facilitate restoration efforts for water and sewer utilities. Water and sewer utilities are ordered to use their best efforts when estimating water usage for billing of water and sewer utility service, taking into account the reductions in consumption that have resulted from the disruption in delivery of water and sewer utility service as a consequence of the damage caused by the hurricane, from customers' evacuation and from the damage to the premises where customers took service. These utilities are also ordered to use their best efforts, without delaying restoration of service, to identify premises that are not capable of receiving water or sewer service, to discontinue billing these premises for the delivery of water or

sewer service, without assessing a disconnection charge. Utilities that provide sewer utility service only and that contract with the retail water provider to bill and collect for sewer service shall notify the water provider that the premises should not be billed for sewer service.

6. Market participants shall use best efforts to expedite move-ins and move-outs.


As Texans return to their properties or establish service in new locations, market participants in ERCOT will use their best efforts to develop a procedure to expedite the processing of move-ins and move-outs in the AEP Texas, CenterPoint Energy Houston Electric, Texas-New Mexico Power Company, and Oncor Electric Delivery Company service areas. Utilities outside of ERCOT will use their best efforts to develop a procedure to expedite the processing of move-ins and move-outs in their service areas.

7. Deferred Payment Plans for Electricity Customers

P.U.C. Subst. R. 25.480(j)(1)(B) contemplates that the Commission may direct Retail Electric Providers to offer deferred payment plans to customers, upon request in an area covered by a disaster declaration. The Commission so directs Retail Electric Providers to do so for customers served in the counties covered by the disaster proclamation until September 29, 2017.

Signed at Austin, Texas the 31st day of August 2017.

PUBLIC UTILITY COMMISSION OF TEXAS


KENNETH W. ANDERSON, JR., COMMISSIONER


BRANDY MARTY MARQUEZ, COMMISSIONER